

Response to Comments Received
2016-2018 Child Care Development Fund (CCDF) State Plan
Office of Child and Family Services
Department of Health and Human Services
Comment Period Ending February 13, 2016

The Department of Health and Human Services (DHHS) is designated as the lead agency with primary responsibilities for the planning and administration of the Child Care Development Fund (CCDF).

In accordance with Public Law 113-186, the Child Care and Development Block Grant (CCDBG) Act of 2014, and MRS Title 5, Chapter 375, §9052 a public hearing was held by the Maine Department of Health and Human Services, Office of Child and Family Services. The purpose of this hearing was to seek public and provider input and comment on the draft plan for the provision of child care services funded by the federal Child Care Development Fund. The State Plan describes Maine's plan to support the state's child care infrastructure and comply with federal requirements of the Child Care and Development Block Grant (CCDBG) Act of 2014.

A public hearing notification was published in four Maine newspapers and a copy of the announcement was made available on the State of Maine website. A copy of the State Plan was made available on the State of Maine website and was distributed to stakeholders upon request.

Two public hearings were held related to the CCDF State Plan as follows:

- February 3, 2016 from 2p.m.-4p.m. in Augusta, Maine with remote access from Caribou, Bangor and Portland.
- A second hearing was held on February 3, 2016 from 5-7:30 in Augusta, Maine.

Participants were invited to present comments either in favor of the State Plan or its parts, in opposition of the State Plan or its parts, and then general comments were accepted. In accordance with Maine Administrative Procedures Act, comments are summarized below and like comments with the same general intent are synthesized into a single comment. Commenters at the hearings were as follows:

Commenter Number, Name and Organization

Commenter #1: Nancy Isaacs, Faith Linking in Action on behalf of Sally Joy, Bundles of Joy

Commenter #2: Rosalyn Fisher, Faith Linking in Action

Commenter #3: Karen Hatch, City of Augusta
Commenter #4: Lori Moses, Catherine Morrill Day Nursery
Commenter #5: Rita Furlow, Maine Children's Alliance
Commenter #6: Dewey Meteer, Start ME Right, Consultant, former Child Care Center Director
Commenter #7: Chantel Pettengill, Pettengill Academy
Commenter #8: Lori Bozeman, Little Sprouts Daycare
Commenter #9: Mandy Bolduc, Creative Care Child Center

Comments were accepted until midnight on February 13, 2016. Written comments were received from:

Commenter Number, Name and Organization

Commenter #10: Fight Crime: Invest in Kids
Commenter #11: ReadyNation
Commenter #12: Mindy Brigham, the Academy for Active Learners
Commenter #13: Nancy Crockett, Family Child Care Provider
Commenter #14: Hylin Parker, Child Care Provider
Commenter #15: Jen Hicks, Family Child Care Provider
Commenter #16: Mission: Readiness
Commenter #17: Kathryn Stead, Independent Early Childhood Educator & Consultant
Commenter #18: Douglas Orville, Maine Head Start Directors Association
Commenter #19: Diana Hill, Child Care Provider
Commenter #20: Jack Comart, Maine Equal Justice Partners, Inc.
Commenter #21: Penni Theriault, Washington County Childcare Professional Provider Group
Commenter #22: Donna Dionne, Morning Sun Child Care Services
Commenter #23: Helen S. McLaughlin, Selinda's South Portland
Commenter #24: Doug Orville, Child and Family Opportunities, Inc.
Commenter #25: Alica Johnson-Grafe, Maine Montessori Association
Commenter #26: Peter Lindsay, Community Member
Commenter #27: June Holman, Hug-A-Bug Child Care Services
Commenter #28: Cheryl Walker, Early Care and Education Professional
Commenter #29: Ashley & Cliff Braley, Small Wonders Daycare and Preschool
Commenter #30: Andrea Wixom, Child Care Provider
Commenter #31: Deonna Hinderks, Angels in Training Daycare

The following responses will address concerns and provide clarification.

Comment 1: Commenter #10, Commenter #16

These commenters recommend the Department focus funding on high-quality early care and education programs for at-risk populations.

The Department will not make changes to the State Plan based on this comment. The Department will be investing resources into implementing changes to strengthen the Quality Rating and Improvement System (QRIS) beginning in 2016 based on parent and provider input, research and data.

Comment 2: Commenter #5, Commenter #8, Commenter #11, Commenter #20, Commenter #24, Commenter #26, Commenter #27, Commenter #28

The commenters recommend the Department raise the market rates to the federal recommendation of 75th percentile of the market rate.

The Department will set the market rates at the 50th percentile of the most recent market rate survey (2015 Market Rate Survey). The change to the market rate percentile will require both statutory and rule changes.

Comment 3: Commenter #12, Commenter #13, Commenter #14, Commenter #15, Commenter #25, Commenter #27, Commenter #30, Commenter #31,

These commenters recommend the Department strike the wording from the State Plan that allows for uploading licensing inspection results to the consumer education website in real time.

The Department will remove this language from the State Plan.

Comment 4: Commenter #3, Commenter #4, Commenter #6, Commenter #8, Commenter #9, Commenter #22, Commenter #27, Commenter #29, Commenter #30, Commenter #31

These commenters recommend the Department does not enact a law or a licensing rule prohibiting providers from expelling children.

The Department made the following changes to the State Plan: “At present, the Council is considering a cross-sector approach to develop guidance applicable across all licensed early care and education settings (e.g. child care, public preschool programs, special education settings) that could be implemented through a variety of strategies ~~including consideration of child care licensing standards, child care provider agreements, and QRIS standards.~~” And added: “The Lead Agency will subsequently consider recommendations based on evidence and best practice to support the goals of the State Plan relating to continuity of care for children.”

Comment 5: Commenter #4

This commenter recommends the Policy Oversight Team interface regularly with the Child Care Advisory Council and that the Team will seek feedback from parents and the provider community relating to state policy decisions.

The Department will continue to receive stakeholder and community input and recommendations from the Child Care Advisory Council. The Policy Oversight Team will be an internal agency staff meeting for coordinating work across DHHS offices.

Comment 6: Commenter #4

This commenter recommends the Department waive the work requirement for vulnerable populations when accessing Child Care Subsidy.

The Department will not make changes based on this comment. It is a federal requirement for the Child Care Subsidy Program that an eligible child “must reside with a parent or parents who are working or attending a job training or educational program;” as laid out in Section 98.20 of TITLE 45--PUBLIC WELFARE AND HUMAN SERVICES PART 98 CHILD CARE AND DEVELOPMENT FUND.

Comment 7: Commenter #4

This commenter recommends the Department hire an Ombudsman.

The Department will not make any changes to the State Plan based on this comment. The Department does not plan to hire an Ombudsman at this time.

Comment 8: Commenter #4, Commenter #6, Commenter #8, Commenter #24, Commenter #27, Commenter #31

These commenters recommend that the child care subsidy award continue at the same level of service during any approved leave period as they were previously enrolled at.

The Department added the following language to the State Plan “As part of the 2016 Child Care Subsidy rule-making process, the Lead Agency will propose to make changes to allow the parent’s award to continue at the same rate throughout any approved leave period.”

Comment 9: Commenter #4, Commenter #20, Commenter #21

These commenters recommend the Department set differential rates for the high risk categories of populations such as children who are homeless, in the child welfare system or children with special needs.

The Department will not make changes to the State Plan based on this comment but will consider this comment as part of the as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 10: Commenter #4

This commenter recommends all parts of the state-funded child care system (TANF ASPIRE, TCC and CCSP) recognize quality and pay the quality bump.

The Department made the following changes to the State Plan based on this comment “As part of the new child care system implementation process, Maine will conduct a thorough analysis of the rate structure and will explore quality incentives for all child care providers participating in QRIS in all parts of the new child care system.”

Comment 11: Commenter #4, Commenter #5, Commenter #6, Commenter #7, Commenter #17, Commenter #18, Commenter #21, Commenter #24, Commenter #28

These commenters recommend the Department comply with federal regulation and implement fingerprinting as a required component of the comprehensive background check.

The Department will not be requiring fingerprinting of all child care providers but will implement the remainder of the comprehensive background check requirements.

Comment 12: Commenter #4

This commenter recommends the Department share how the Department of Education funds are used to evaluate and assess the effectiveness of child care services within the state.

The Department corrected this error in the State Plan to now read “CCDF Funds” instead of “Department of Education funds.”

Comment 13: Commenter #7, Commenter #18

These commenters recommend the Child Care Policy Oversight Team within DHHS have governor appointed representation from child care homes, centers, public pre-k and community stakeholder groups.

The Department will continue to receive stakeholder and community input and recommendations from the Child Care Advisory Council. The Policy Oversight Team will be an internal agency staff meeting for coordinating work across DHHS offices.

Comment 14: Commenter #18

This commenter recommends the Department not use Head Start waiting list data for making program decisions.

The Department removed this language from the State Plan.

Comment 15: Commenter #2, Commenter #5, Commenter #18, Commenter #20, Commenter #26

These commenters recommend the Department adopt a streamlined application process for Child Care Subsidy so parents can quickly take advantage of employment opportunities.

The Department added the following language to the State Plan “As part of the new child care system the Lead Agency will focus on ensuring the application process is seamless and streamlined for families.”

Comment 16: Commenter #2, Commenter #5, Commenter #6, Commenter #18, Commenter #26, Commenter #28

These commenters recommend the Department set a five-day time period for making subsidy eligibility decisions. Five days is also the time period recommended by the Child Care Advisory Council.

The current statute requires eligibility determination within 30 days. The Department has added the following language to the State Plan “The Lead Agency shall determine eligibility within 30 days of receiving an application.”

Comment 17: Commenter #18

This commenter recommends the Department implement categorical eligibility, presumptive eligibility, and a mix of vouchers and contracted slots.

The Department will not add this to the State Plan but may consider it as part of the new child care system.

Comment 18: Commenter #18

This commenter recommends the Department focuses on making information about child care options more available to parents.

The Department added the following language to the State Plan “The Lead Agency plans to partner with the Maine Early Learning Investment Group (MELIG) as well as a variety of other community partners to create a coordinated campaign for consumer education and outreach.”

Comment 19: Commenter #18

This commenter recommends the Department provide eligibility for job searches and part-time employment. This will assist parents in moving into quality permanent employment.

The Department will not make changes to the State Plan based on this comment. Current Child Care Subsidy Program rule allows for continued eligibility for job search and part-time employment.

Comment 20: Commenter #2, Commenter #3, Commenter #7, Commenter #8, Commenter #18, Commenter #27, Commenter #28

These commenters recommend the Department use an alternative rate setting methodology [for market rates] that will properly fund the cost of quality care.

The Department may propose language as part of the Child Care Subsidy rule-making process that will allow for the use of an alternative rate-setting methodology to be used in the future.

Comment 21: Commenter #18

This commenter recommends the Department use CCDF funds to provide stronger supports to providers, including professional development.

The Department will not make any changes based on this comment. The Professional Development Network is already funded with CCDF monies.

Comment 22: Commenter #8, Commenter #18

This commenter recommends that the full results of background checks should be shared with providers.

The Department will not make changes to the State Plan as a result of these comments. This is a federal regulation as laid out in Section 98.43 of TITLE 45--PUBLIC WELFARE AND HUMAN SERVICES PART 98 CHILD CARE AND DEVELOPMENT FUND.

Comment 23: Commenter #5, Commenter #6

These commenters recommend the Department conduct outreach to gather input from parents and providers on what should be included in the “new child care system”.

The Department will not make any changes based on this comment. Family and provider input is considered in the development of the new child care system.

Comment 24: Commenter #5, Commenter #6, Commenter #8, Commenter #20, Commenter #24, Commenter #27, Commenter #28, Commenter #31,

These commenters recommend the Department remove the language that allows “periodic spot checks for accuracy and eligibility.”

The Department will not make changes to the State Plan based on these comments but will propose changes to the referenced language as part of the Child Care Subsidy rule-making process in 2016.

Comment 25: Commenter #6, Commenter #8, Commenter #24

These commenters recommend the Department should have clear language that says that in the “new child care system” that disruption will be avoided and parents will be allowed to submit documents in whatever form is easiest for them, including electronically.

The Department added the following language to the State Plan “As part of the new child care system parents will be allowed to submit documents in whatever form is easiest for them, including electronically.”

Comment 26: Commenter #6, Commenter #8, Commenter #27

These commenters recommend the Lead Agency pay for enrollment, not for attendance as a way to delink payments from a child’s occasional absence.

The Department will not make any changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 27: Commenter #8, Commenter #13, Commenter #22, Commenter #27

These commenters recommend the Department set a reasonable time limit that a background check will take, not just state that it will not exceed 45 days, and allow for conditional employment during that time.

The Department added the following language to the State Plan “Conditional employment procedures will be outlined for providers needing to hire staff prior to receiving the BCC results.”

Comment 28: Commenter #8, Commenter #13, Commenter #22, Commenter #23, Commenter #27, Commenter #31

These commenters recommend the Department assume all costs of background checks.

The Department will not make changes to the State Plan based on these comments.

Comment 29: Commenter #1

This commenter recommends the Department allow providers to charge parents the rate difference that there is between the market rate and the private rate.

The Department will not add this to the State Plan but may consider it as part of the new child care system and in future Child Care Subsidy rule changes.

Comment 30: Commenter #1

This commenter recommends the Department allow mothers that are expecting to be able to start the voucher process before the child enters into the childcare.

The Department will not make changes to the State Plan as a result of this comment. In the current Child Care Subsidy Rules, the Department accepts applications once a mother has reached her 6th month of pregnancy.

Comment 31: Commenter #1

This commenter is concerned about the way child welfare payments are made to providers and recommends a payment schedule sent to providers so they will know when to expect payments.

Child care paid through the child welfare system is not governed by CCDF regulations and as such the Department will not make changes to the State Plan as a result of this comment. As part of the new child care system the Department will align practices among programs, including child welfare.

Comment 32: Commenter #2

This commenter recommends the Department notify providers promptly when a subsidy has been approved or the parent has lost funding.

The Department will not make changes to the State Plan based on this comment. The current Child Care Subsidy rules require the Department to provide written notification be mailed to the parent and the child care provider twelve calendar days before a change is effective.

Comment 33: Commenter #3

This commenter recommends school age market rates remain where they are now instead of decreasing.

The Department will not make any changes to the State Plan based on this comment.

Comment 34: Commenter #2

This commenter recommends the Department give providers EBT cards so that payments would be on the cards rather than paper checks.

The Department will not make a change based on the comment. In the new child care system, providers will be paid directly via check or direct deposit.

Comment 35: Commenter #2

This commenter recommends the Child Care Subsidy Program pay retroactively for the gap between application and approval.

As part of the Child Care Subsidy Program, the Department has paid subsidy retroactively back to the date of application since October 2015. The Department added the following language to the State Plan “The Lead Agency is required by Maine Statute to pay child care assistance retroactively to the date of application.”

Comment 36: Commenter #2

This commenter recommends the Department implement off-hour and weekend child care.

The Department will not make a change to the State Plan based on this comment. The Child Care Subsidy Program currently pays a rate differential for off-hour care which includes nights and weekends.

Comment 37: Commenter #19

This commenter recommends the Department continue to pay Child Care Subsidy to a provider on behalf of families throughout a Conditional License.

The Department will not make changes to the State Plan based on this comment but may consider to change this recommendation as part of the Child Care Subsidy rule-making process in 2016.

Comment 38: Commenter #20

This commenter recommends the Department have a smooth and simple re-determination process and would like to be part of an on-going group to examine this process

The Department will not make a change to the State Plan as a result of this comment but may consider it as part of the new child care system.

Comment 39: Commenter #20

This commenter recommends the Department change the language in Section 1.2.2 (b) to clarify that if a parent already has a child care provider or knows who they want as a provider it is not a necessary step that they be referred to a consumer education website.

The Department changed the following language in the State Plan, “OFI, the TANF Lead Agency, may refer families to the consumer education website, Child Care Choices, as a resource to aid them in selecting a provider.”

Comment 40: Commenter #20

This commenter recommends adding clarifying language regarding which agency issues payments.

The Department added the following language to the State Plan, “Currently the CCDF Lead Agency, Office of Child and Family Services, issues payments. In the new child care system, the Office for Family Independence will issue payments for the Child Care Subsidy Program (CCSP) in addition to issuing payments for TANF/ASPIRE child care.”

Comment 41: Commenter #20

This commenter has concerns about how parents can simultaneously switch providers and payment. We are concerned that since payments will be made directly to the provider, there may be a lag between switching providers and switching payments leading to problems with payment.

The Department will not make changes to the State Plan based on this comment but may consider it in the new child care system.

Comment 42: Commenter #20

This commenter recommends the Department do more to make the eligibility and information gathering processes more accessible to people with limited English proficiency or who have literacy issues. They recommend a stakeholder process to help to identify those gaps in the current system and recommend ways to achieve the goal.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 43: Commenter #8, Commenter #20, Commenter #27

These commenters recommend the Department add the ability to apply for subsidy by telephone and/or request by telephone that an application is sent to them.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 44: Commenter #20

This commenter recommends the Department eliminate the second sentence in Section 3.1.1 (b) in the State Plan.

The Department will not make changes to the State Plan based on this comment. This is a citation from the current Child Care Subsidy rules.

Comment 45: Commenter #20

This commenter recommends the Department put language into the State Plan that acknowledges that a parent's temporary absence will not disrupt eligibility.

The Department will not make changes to the State Plan based on this comment. The current Child Care Subsidy rules allow for excused absences which are explained in Section 4.5.2 of the State Plan.

Comment 46: Commenter #20

This commenter recommends the Department waive the fee for foster parents whose foster children receive child care services.

The Department will not make changes to the State Plan based on this comment. In the current Child Care Subsidy rules, foster children are considered a family of one and foster payments are not included as income. This results, most often, in a co-payment of \$0.

Comment 47: Commenter #20

This commenter recommends the Department revise the definition of income in Section 3.1.4(a) of the State Plan to say "net income after allowable deductions and exclusions."

The Department will not make changes to the State Plan based on this comment. The terms are in line with the current Child Care Subsidy rules.

Comment 48: Commenter #20

This commenter recommends the Department add the following to the list of acceptable forms of identity: "Passports or other photo identification National Cards from countries other than the United States; Documents issued by the U.S. Department for Homeland Security that contain photo identification, such as a work authorization or 'green card.'"

The Department will not make changes to the State Plan based on this comment but may consider this as part of the Child Care Subsidy rulemaking process in 2016.

Comment 49: Commenter #20

This commenter recommends the Department change the language requiring documentation of formalized kinship/caregiver relationships as this falls under “in-loco parentis” which does not require this.

The Department added the following language to the State Plan, “As part of the 2016 Child Care Subsidy rule-making process, the Lead Agency may consider changes to the verification requirements.”

Comment 50: Commenter #20

This commenter recommends the Department remove the requirement for homeless individuals to have two affidavits from Maine residents signed. They recommend if some sort of documentation is to be required, then a form affidavit should be provided and consistent with McKinney-Vento, caregivers should be able to self-attest to homelessness status in order to not delay enrollment of their children in child care. After that initial period, other forms of reasonable proof should be allowed. For example, confirmation from a homeless shelter, case manager or other source, regardless of the legal residence of the shelter, manager or other source, should be allowed.

The Department added the following language to the State Plan “As part of the 2016 Child Care Subsidy rule-making process, the Lead Agency will explore changes to the requirement that homeless individuals must produce two, signed affidavits.”

Comment 51: Commenter #20

Section 3.1.8: Since the law requires a maximum of a 30-day period to determine eligibility, we suggest including that limit in this section.

The Department included the following language “The Lead Agency shall determine eligibility within 30 days of receiving an application.”

Comment 52: Commenter #20

This commenter is concerned there appears to be no mention of waiving or extending various documentation requirements, such as immunization records to more easily allow homeless children to access Child Care Subsidy.

The Department added the following language to the State Plan, “The current Child Care Subsidy rules allow for a ninety day grace period to be granted while parents are taking the necessary actions to comply with the immunization requirement.”

Comment 53: Commenter #20

This commenter is concerned that only allowing one approved leave in a six month period would violate ADA and recommends the Department change the Child Care Subsidy rules.

The Department will not make changes to the State Plan as a result of this comment but may consider this as part of the Child Care Subsidy rulemaking process.

Comment 54: Commenter #21

This commenter recommends the Department give recognition to providers for years of service in reference to the Quality Rating and Improvement System.

The Department will not make changes to the State Plan based on this comment but may consider this comment as part of the as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 55: Commenter #21

This commenter recommends the Department provide funds for more live trainings in rural areas.

The Department will not make changes to the State Plan based on this comment but may consider this as part of the new child care system.

Comment 56: Commenter #6

This commenter is concerned that Maine certifies with an “X” that it has disseminated policies on (among other things) social-emotional behaviors, positive behavioral support models, and expulsion of preschool-aged children receiving CCDF from programs and Maine also certifies that it has no policy on preventing expulsion of these children. This commenter recommends revising this section as the entries seem to contradict each other.

The Department has added the following language to the State Plan: “Because Maine does not yet have state-level policies, the U.S. Departments of Health and Human Services and Education Policy Statement on expulsion and suspension policies in early childhood settings is made available.”

Comment 57: Commenter #6

This commenter recommends that data used to evaluate quality and the Department’s own performance (i.e. number of applications processed, number processed within its set time goals, number of providers at each QRIS level accepting CCDF, and the number of CCDF children enrolled in programs at each level) be made public annually and posted on the Department’s website, along with previous years’ data, so that providers, the Department, and the public can track how the state is doing.

The Department will not add this to the State Plan but may consider it as part of the new child care system.

Comment 58: Commenter #7, Commenter #9

These commenters recommend the Department implement a Quality Rating and Improvement System where family and center-based providers have to meet the same standards.

The Department will not make changes to the State Plan based on this comment but may consider this comment as part of the as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 59: Commenter #9

This commenter recommends the Department have one licensing rule for providers as a group of professionals that requires the same training hours by all programs instead of different requirements for family and center-based facilities.

The Department will not make changes to the State Plan based on this comment but it will consider it when the Division of Licensing and Regulatory Services (DLRS) begins the child care licensing rule revision process in 2016.

Comment 60: Commenter #31

This commenter recommends the Department hold an open forum for all providers to know exactly where all the CCDF funding is going as well as a quarterly publication of all explanations as to the distribution and earmark for all grant funds and disbursements.

The Department will not add this to the State Plan but may consider it as part of the new child care system.

Comment 61: Commenter #4, Commenter #27, Commenter #31

These commenters recommend the Department implement a due process for provider complaints, infractions and appeal requests related to licensing violations as well as a timely response and resolution to all deficiencies and investigations.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 62: Commenter #31

This commenter recommends the Department implement public education and trainings for providers and licensors on clear and consistent rules and differentiation between best practice and rule violation.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 63: Commenter #31

Send out a directory telling us who to contact when there are concerns with Child Care Subsidy.

The Department will not make changes to the State Plan based on this comment but will make this information more prominent on the DHHS website and send out a link when it is updated.

Comment 64: Commenter #31

This commenter recommends that the ages of children and reimbursement rates coincide with the state licensing regulations.

The Department will align age categories as part of the new child care system.

Comment 65: Commenter #2, Commenter #6, Commenter #8, Commenter #27, Commenter #31

These commenters recommend the Department ensure that parents and providers are well informed and supported as to the process of how to apply for, and determine eligibility for assistance. They suggest paying and/or training providers as a resource to help parents with the application process and using licensors to distribute information.

The Department added the following language to the State Plan “The Lead Agency will create materials to distribute to parents and providers relating to Child Care Subsidy.”

Comment 66: Commenter #31

This commenter recommends the Department exclude overtime as part of a parent’s income when determining financial eligibility for the Child Care Subsidy Program.

The Department will not make changes to the State Plan as a result of this comment. The current Child Care Subsidy Rules state “if income fluctuates to the extent that a four week period does not provide accurate information to calculate income for the future eligibility period, the Department can use information covering a longer period of time.”

Comment 67: Commenter #31

This commenter recommends a higher income eligibility level.

The Department will not make changes to the State Plan based on this comment. The income eligibility at 85% of the State Median Income estimates based on LIHEAP-this is the maximum allowable under federal regulations.

Comment 68: Commenter #8, Commenter #27, Commenter #31

These commenters recommend the Department employ eligibility staff during evening and weekend hours.

The Department will not make a change based on this comment and does not have the capacity to offer evening and weekend administrative support for Child Care Subsidy at this time.

Comment 69: Commenter #31

This commenter recommends the Department educate and allow child care providers, directors, and/or staff to advocate for and assist parents in the submission of all required documents and applications.

The Department added the following language to the State Plan “The Lead Agency will create materials to distribute to parents and partners relating to Child Care Subsidy.”

Comment 70: Commenter #27, Commenter #31

These commenters recommend the Department provide reimbursement for substitutes to provide coverage and/or to pay for staff training costs, and the time that staff are in trainings in order to help providers move up the Quality Rating and Improvement System.

The Department will not make changes to the State Plan based on this comment but may consider this comment as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 71: Commenter #31

This commenter recommends the Department should accept anything that encourages the physical and mental health of the families and providers as acceptable for training hours.

The Department will not make changes to the State Plan based on this comment.

Comment 72: Commenter #31

This commenter recommends the Department offer a tax-free funding, grants or loan program to help with startup costs and funds to improve existing child care programs.

The Department added the following language to the State Plan: “Maine also supports the Child Care Investment Tax Credit which assists providers in making investments in their centers or homes.”

Comment 73: Commenter #2, Commenter #22, Commenter #27, Commenter #30

These commenters recommend the Department pay prospectively.

The Department will not make a change based on the comments. The following language exists in the State Plan: “In the new child care system the DHHS Child Care Policy Oversight Team will be focused on system changes to better align the child care industry as a whole including prospective payments made directly to providers and the utilization of standard provider agreements across child care programs regardless of the funding stream.”

Comment 74: Commenter #8

This commenter recommends the Department include funds allocated to provide extra staffing for providers faced with choosing to expel children from the program in addition to technical assistance as part of the social-emotional work.

The Department will not make changes to the State Plan as a result of this comment but may consider this as part of the new child care system.

Comment 75: Commenter #8

These commenters recommend the Department set a maximum of 10 day time period for making subsidy eligibility decisions and that the department monitor intake staff to determine trends in delays in determining eligibility and take action to hold intake staff accountable to meet deadlines.

The Department included the following language “The Lead Agency shall determine eligibility within 30 days of receiving an application.”

Comment 76: Commenter #8, Commenter #27

These commenters recommend the Department allow for a three month job search period to be placed at the front end of the eligibility period.

The Department will not add this to the State Plan but may consider it as part of the new child care system.

Comment 77: Commenter #8

This commenter recommends all QRS levels should be deemed “quality” and receive referrals.

The Department will not make changes to the State Plan based on this comment and will maintain the current language that “parents are able to select their own provider that meets program standards.”

Comment 78: Commenter #8

This commenter recommends a percentage of funding for quality be given directly to providers in the form of grants for use in improving and/or starting Infant/ Toddler Programs, purchasing equipment, facility structuring, etc.

The Department will not make changes to the State Plan based on this comment. The Lead Agency uses quality funding to improve Infant/Toddler Programs through educational scholarships, training and technical assistance through the Professional Development Network.

Comment 79: Commenter #8

This commenter recommends the Department allow providers to opt out of the background checks if they give evidence of having provided a Federal background check at their own expense.

The Department will not make changes to the State Plan based on this comment.

Comment 80: Commenter #8, Commenter #21

These commenters recommend the Department provide mini grants to providers to hire additional staff to enable them time for studying, online courses, a trainings or conferences.

The Department will not make changes to the State Plan based on this comment but may consider this comment as part of the as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 81: Commenter #3

This provider recommends the Department put language in Section 7.11 to improve school age programs.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 82: Commenter #27

This commenter recommends adding the authorization to release information to the child care provider to the initial application and re determination process as this will give participants the opportunity to allow their provider to obtain information on their behalf while they are at work.

The Department will not make changes to the State Plan based on this comment but may consider this as part of the new child care system.

Comment 83: Commenter #27

This commenter recommends on page 66 to specify that ‘By aligning re-determination dates and program requirements such as ‘verification no sooner than every 12 months, and prohibiting the requirement of face to face interviews and will offer family friendly mechanisms for submitting documentation.’

The Department added the following language to the State Plan “Maine avoids unduly disrupting employment by: aligning re-determination dates with other benefits; requiring verification no sooner than every 12 months; not requiring face-to-face interviews; and allowing participants to be re-determined for multiple programs at the same time.”

Comment 84: Commenter #27

This commenter recommends aligning re-determination dates with eligibility including the determinations for all other services such as Maine Care, Food Stamps or TANF and recommends that those programs also be prohibited from requiring a face-to-face redetermination for those services to ensure the compliance with the federal government’s requirement for subsidy.

The Department will not make changes to the State Plan based on this comment. Maine Care, Food Stamps and TANF are not governed by CCDF.

Comment 85: Commenter #27, Commenter #31

These commenters recommend the Department set a goal for eligibility determination of no more than 48 hours.

The Department included the following language “The Lead Agency shall determine eligibility within 30 days of receiving an application.”

Comment 86: Commenter #27

This commenter recommends the Department implement prorated midweek eligibility.

The Department will not make changes to the State Plan based on this comment but may consider this as part of the new child care system.

Comment 87: Commenter #27

This commenter recommends the Department grant extensions to the job search time when needed.

The Department will not make changes to the State Plan based on this comment.

Comment 88: Commenter #27

This commenter recommends the Department change the term ‘may have unsupervised access to the children’ to ‘are intended to have unsupervised access to the children’ as part of the background check requirements.

The Department will not make any changes to the State Plan based on this comment. This language is laid out by the Administration for Children and Families as part of the preprint document.

Comment 89: Commenter #27

This commenter is concerned that under the current Child Care Subsidy rules a provider who has one OUI cannot be paid for the subsidy child. However, if the OUI recipient is another member of the home they can write a letter to assert that they will not drive children. This commenter recommends the Department allow a provider to continue to provide care upon first OUI offense as long as he/she writes a letter to assert that he/she will not drive children.

The Department will not make changes to the State Plan based on this comment.

Comment 90: Commenter #4, Commenter #27

These commenters are concerned about the Department posting all licensing violations to the consumer education website and recommends the Department only post major and substantiated violations.

The Department will not make changes to the State Plan based on this comment.

Comment 91: Commenter #5, Commenter #24, Commenter #28

These commenters have concerns about the Child Care Subsidy Program being administered within the Office for Family Independence and would recommend that it stay within the Office of Child and Family Services.

The Department will not make changes to the State Plan based on this comment. The Child Care Subsidy Program will be administered within the Office for Family Independence.

Comment 92: Commenter #5

This commenter recommends the Department to clarify language as it relates to Maine's Head Start Collaboration office.

The Department added the following language to the State Plan: "The Lead Agency worked with the Head Start Collaboration Office until December, 2015 at which time Maine elected not to have a federally-funded Head Start Collaboration Office. The Lead Agency now employs a Head Start Coordinator within the Child Care Services Unit who will be a liaison with the Head Start program" and "Maine does not have a Head Start Collaboration grant."

Comment 93: Commenter #5, Commenter #20

These commenters recommend the Department provide supplemental funding to remove waiting lists from tribal communities.

The Department added the following language to the State Plan "The State Administrator will continue to learn about tribal CCDF programs and share information about the state CCDF administration it is expected that the proposed improvements to the child care subsidy system application process will support more eligible families."

Comment 94: Commenter #5, Commenter #2

These commenters recommend the Department implement cross system practices and methodologies for children's social emotional development and learning that are based on

research and evidence. They recommend the development and adoption of preventive, disciplinary, suspension, and expulsion policies relating to young children in early care settings. Any policies should be based on evidence and best practice to support the goals of the state plan relating to continuity of care for children.

The Department added the following language to the State Plan: “The Lead Agency will subsequently consider recommendations based on evidence and best practice to support the goals of the state plan relating to continuity of care for children.”

Comment 95: Commenter #5, Commenter #6, Commenter #20, Commenter #26, Commenter #27, Commenter #28

These commenters recommend the Department make significant improvements to the consumer education website including an easy-to-use system for filtering by providers who provide coverage for non-traditional hours, accept child care subsidy, who provide care in other languages, and to children with special needs. They recommend gathering input from consumers and stakeholders to do this.

The Department will make improvements to the consumer education site as part of the Quality Rating and Improvement System (QRIS) revisions which will begin in 2016.

Comment 96: Commenter #5, Commenter #20, Commenter #28, Commenter #31

These commenters recommend the Department set the parent fees not to exceed seven percent of family income.

The Department will not make changes to the State Plan based on this comment but may consider it as part of the new child care system.

Comment 97: Commenter #5, Commenter #28

These commenters recommend the Department use grants and contracts to ensure equal access to the most vulnerable and underserved children.

The Department will not make changes to the State Plan based on these comments.

Comment 98: Commenter #2, Commenter #5, Commenter #26, Commenter #28

These commenters recommend the Department gradually increase the percentages for the “quality bump” provisions of the law over the next three years to enable step four child care services to receive a 25% quality differential; a 15% differential for level three; and a 10% differential for level one. They suggest utilizing a tiered rate or higher reimbursement rate for special populations such as homeless children, children with disabilities, or creating other tiered rates for high risk populations such as drug-affected infants or those in the child welfare system.

The Department will be investing resources into implementing changes to strengthen the Quality Rating and Improvement System (QRIS) beginning in 2016 based on parent and provider input, research, and data. This recommendation may be considered at that time.

Comment 99: Commenter #7

This commenter recommends the Department look at unlicensed child care around the state and also help educate parents on the difference between licensed and unlicensed care.

The Division of Licensing and Regulatory Services (DLRS) currently investigates reports of illegally operating child care facilities. The Department added the following language to the State Plan “The Lead Agency plans to partner with the Maine Early Learning Investment Group (MELIG) as well as a variety of other community partners to produce a coordinated campaign for consumer education and outreach.”

Comment 100: Commenter #8

This commenter recommends when a formerly illegally operating provider becomes licensed they are given an immediate statement of deficiency and corrective action plan on the website.

The Department will not make changes to the State Plan based on this comment.